

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND DISMISSING THE CLAIMS AGAINST CERTAIN DEFENDANTS
WITHOUT PREJUDICE AND WITHOUT ISSUANCE AND SERVICE OF PROCESS**

Plaintiff Alton Adams (Adams) filed this lawsuit against the above-named defendants under 42 U.S.C. 1983 and the South Carolina Tort Claims Act, S.C. Code Ann. §§ 15-78-10I, *et seq.* Adams is representing himself.

The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Adams's claims against Defendants Ray Deloach, CPT Kelly, Sgt. Vahun, Janice Ergle, J.K. Burbage, Doe No. 2, Supervisor Doe, Supervisor Horn, Lexington County, Saluda County, and Doe Victim's Advocate be dismissed without prejudice and without issuance and service of process. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on April 14, 2021, and the Clerk of Court entered Adams's objections on April 28, 2021. The Court has reviewed the objections, but holds them to be without merit. It will therefore enter judgment accordingly.

Adams fails to offer any specific objections to the Report. As per the law of the Fourth Circuit, this Court need not conduct a de novo review of the record "when a party makes general and conclusory objections that do not direct the court to a specific error in the [Magistrate Judge's] proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). The Court reviews the Report and Recommendation only for clear error in the absence of specific objections. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir.2005)

(stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record to accept the recommendation.”) (citation omitted).

Here, Adams wholly failed to bring any specific objections to the Report. Instead, he offers nothing more than non-specific objections. Inasmuch as the Court agrees with the Magistrate Judge’s analysis of the complaint in her comprehensive and well-reasoned Report, it need not repeat the discussion here.

Consequently, because Adams neglects to make any specific objections to the Report, and the Court has failed to find any clear error, the Court will overrule the objections and accept the Magistrate Judge’s recommendation.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Adams’s objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of the Court that Adams’s claims against Defendants Deloach, Kelly, Vahun, Ergle, Burbage, Doe (No. 2), Supervisor Doe, Horn, Lexington County, Saluda County, and Doe Victim’s Advocate are **DISMISSED WITHOUT PREJUDICE** and without issuance and service of process.

IT IS SO ORDERED.

Signed this 11th day of July, 2022, in Columbia, South Carolina.

s/ Mary Geiger Lewis
 MARY GEIGER LEWIS
 UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Adams is hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.